

IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

v.

Ramon Aragon, *et al.*,

Defendants.

69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM  
Section 3: Rio Nutrias, Rio Cebolla  
& Canjilon Creek

Subfile Nos. CHCJ-002-0044,  
CHCJ-004-0030

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**MOTION TO JOIN ADDITIONAL PARTIES DEFENDANT**

COMES NOW the plaintiff, State of New Mexico, *ex rel.* State Engineer ("State"), by and through his attorneys, and respectfully requests the Court to join as additional parties defendant the persons named below and order them to answer the State's Complaint in this action as required in any civil action in the United States District Court or suffer default judgment against them. In support of this motion, the State asserts:

1. The persons listed in Exhibit A attached hereto are diverting and using or may claim the right to divert and use surface or underground waters within the Rio Chama Basin. These waters belong to the public and are subject to appropriation in accordance with the laws of the state. This Court has exclusive jurisdiction to adjudicate all claims to the right to divert, store, or use public waters in the Rio Chama Basin.

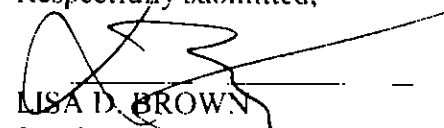
2. The persons listed in Exhibit A are in Section 3 of the Rio Chama Basin, and may be diverting and using water associated with the subfile numbers listed, or may otherwise be using water

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associated with the subfile numbers listed, or may otherwise be using and diverting surface or underground waters within Section 3 of the Rio Chama Basin.

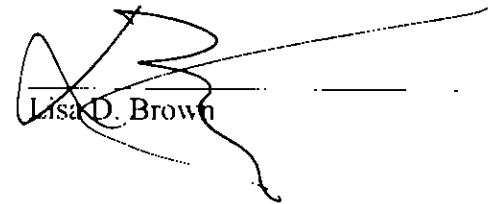
DATED February 18, 2003

Respectfully submitted,

  
LISA D. BROWN  
Special Assistant Attorney General  
Office of the State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 827-6150

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Motion to Join Additional Parties Defendant was mailed to the following persons on February 18, 2003.

  
Lisa D. Brown

Special Master Vickie L. Gabin  
USDC-DCNM  
P.O. Box 2384  
Santa Fe, NM 87504-2384

Darcy S. Bushnell, Esq.  
Adjudication Staff Attorney  
USDC-DCNM  
333 Lomas Blvd. NW, suite 270  
Albuquerque, NM 87102-2272

Karla McCall, Data Manager  
1315 Sagebrush Dr. SW  
Los Lunas, NM 87031

Bradley S. Bridgewater, Esq.  
David W. Gehlert, Esq.  
USDOJ-ENRD  
999 18th St., Suite 945  
Denver, CO 80202

John W. Utton, Esq.  
P.O. Box 271  
Albuquerque, NM 87103-0271

Fred J. Waltz, Esq.  
P.O. Box 6390  
Taos, NM 87571

Wilfred Gutierrez, Chair  
N.M. Acequia Commission  
P.O. Box 190  
Velarde, NM 87582

Paula Garcia  
N.M. Acequia Association  
P.O. Box 1229  
Santa Cruz, NM 87567

**EXHIBIT A**

<u>DEFENDANT</u>	<u>SUBFILE NO.</u>	<u>ADDRESS</u>
Victoria G. Lopez	CHCJ-004-0030	Private Rd. 1326 Box 7 Española, NM 87532
Gilbert Leyba	CHCJ-002-0044	RR 4 Box 69B Santa Fe, NM 87501